

## **REMARKS/ARGUMENTS**

Claims 1-3, 7, 9 and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,912,869 to Ortega. Claims 16 and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,214,940 to Capifali. Claims 4, 5, 11 and 12 stand rejected under 35 U.S.C. §103 as being unpatentable over Ortega. Claims 6 and 13 stand rejected under 35 U.S.C. §103 as being unpatentable over Ortega in view of U.S. Patent No. 5,035,000 to Matthias. Claims 8, 18 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ortega in view of Capifali.

Turning first to the rejections of claims 1-3, 7, 9 and 14 under 35 U.S.C. §102(b) as being anticipated by Ortega, Applicant has considered the Ortega reference but submits that it does not teach or suggest the present invention. As shown in Fig. 2A of the present application, the wrist band has a longitudinal axis 12. The wrist band veers from the longitudinal axis at the ends which ends form a straight line as indicated at D. The ends each have a minor axis 16, which axes 16, when extended, intersect as shown in Fig. 2A, forming an included angle A at the intersection which is less than 180°.

The Examiner has cited the Ortega reference. However, it should be noted that the minor axes of the Ortega design as shown, for example, in Fig. 7, are parallel to each other and do not intersect. Thus, there is no included angle between the axes 76 shown in Fig. 7 of Ortega which is less than 180°. Further, the minor axes at the ends of the Ortega band are not disposed such that the ends form a substantially perpendicular intersection with the minor axes. As shown, the ends of the Ortega band are disposed at an angle which is not a right angle to the minor axes 76. Accordingly, the Ortega band does not teach or suggest the present invention for at least three reasons: It does not have ends forming a substantially perpendicular intersection with the minor axes; the angle between the minor axes at the ends is not less than 180° and the minor axes do not intersect. Accordingly, it is submitted that claims 1-3, 7, 9 and 14 are not anticipated by the Ortega reference.

Claims 4, 5, 11 and 12, as dependent claims depending on independent claims 1 and 9, are also not rendered obvious in view of Ortega. It is submitted that there is no teaching or suggestion in Ortega of the wrist band and wrist watch as claimed.

Similarly, claims 6 and 13 are not taught or suggested by Ortega alone or in view of U.S. Patent No. 5,035,000 to Matthias in view of the above.

Turning now to the rejection of claims 16 and 17 as being anticipated by U.S. Patent No. 5,214,940 to Capifali, applicants have amended claims 17 and 19 to place these claims in independent form. It is submitted that Capifali does not teach or suggest the invention claimed in claims 17 and 19. In particular, Capifali does not teach or suggest a wrist band or a wrist watch. Rather, Capifali shows a loose fitting necklace comprising a chain 100. The ends of the chain 100 do not form minor axes which are disposed at an angle to a major longitudinal axis. In fact, the Capifali necklace, when worn, does not have a longitudinal axis like the wrist band of the wrist watch of the invention. Accordingly, Capifali does not teach or suggest a band having two ends each having a minor axis which is disposed at an angle to a major longitudinal axis. Accordingly, it is submitted that claims 17 and 19 are not taught or suggested by the Capifali reference.

Further, the Examiner has rejected claims 8, 18 and 19 under 35 U.S.C. §103 as being unpatentable over Ortega in view of Capifali. It is submitted that these claims are not taught or suggested by the combination of Ortega and Capifali. Ortega relates to a wrist watch and Capifali relates to a chain necklace. For the reasons discussed above, the combination of Ortega and Capifali does not teach or suggest the invention of claims 17 and 19. Initially, it is not at all obvious how the two different devices of Capifali and Ortega could be combined. Capifali relates to a loose fitting chain necklace and Ortega relates to a wrist band. Further, even if a combination was attempted, the combination would not result in the invention as claimed wherein the band has a major longitudinal axis along a substantial portion of the length of the band and two ends, the two ends each have a minor axis which is disposed at an angle to the major longitudinal axis, the ends further forming a substantially perpendicular intersection with the minor axes, the band being adapted to connect to an object to be attached between the ends to be worn at the wrist whereby the angle between the minor axes at the ends is less than 180°.

For the reasons discussed, it is submitted that all claims in this application are in condition for allowance, prompt notification of which is requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 3, 2003

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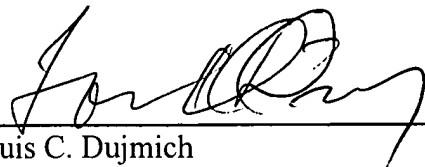
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December 3, 2003

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Respectfully submitted,



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